

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/772,108 Confirmation No.: 4849  
 Applicant(s): Cole *et al.*  
 Filed: February 4, 2004  
 Art Unit: 3774  
 Examiner: Walker, Amanda H.  
 Title: INJECTABLE RESORBABLE BONE GRAFT MATERIAL, POWDER FOR FORMING SAME AND METHODS RELATING THERETO FOR TREATING BONE DEFECTS

Docket No.: 048057/345840

Customer No.: 00826

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of one month to respond to the Office Action dated April 1, 2008.
  2. Applicant is ☐ a small entity; ☒ other than a small entity.
  3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):
- |   | <u>Requested</u> | <u>Fee For Other Than Small Entity</u> | <u>Fee for Small Entity</u> |
|---|------------------|--|-----------------------------|
| <input checked="" type="checkbox"/> one month |                  | \$120.00                               | \$60.00                     |
| <input type="checkbox"/> two months           |                  | \$460.00                               | \$230.00                    |
| <input type="checkbox"/> three months         |                  | \$1,050.00                             | \$525.00                    |
| <input type="checkbox"/> four months          |                  | \$1,640.00                             | \$820.00                    |
| <input type="checkbox"/> five months*         |                  | \$2,230.00                             | \$1,115.00                  |

\*Cannot be used to exceed six-month statutory limit for response to an Official Action.

- ☐ A check in the amount of \$ is enclosed.
- ☒ Charge Deposit Account No. 16-0605 for the extension fee.
- ☒ All fees are being authorized to be charged to Deposit Account No. 16-0605 when electronically filing
- ☒ Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,

/christopher m. humphrey/

Christopher M. Humphrey  
 Registration No. 43,683

Customer No. 00826  
**ALSTON & BIRD LLP**  
 Bank of America Plaza  
 101 South Tryon Street, Suite 4000  
 Charlotte, NC 28280-4000  
 Tel Raleigh Office (919) 862-2200  
 Fax Raleigh Office (919) 862-2260

In re: Cole *et al.*

Appl. No.: 10/772,108

Filed: February 4, 2004

Page 2

---

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JULY 18, 2008.